
By: **Delegates Zirkin, Morhaim, and O'Donnell**
Introduced and read first time: February 6, 2003
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Justice - Group Home Education Pilot Program**

3 FOR the purpose of requiring the Department of Juvenile Justice, in cooperation with
4 the State Department of Education, to establish a Group Home Education Pilot
5 Program in certain group homes in the State; providing for the purpose of the
6 Program; making certain provisions relating to education applicable to the
7 Program; requiring teachers in the Program to take certain actions; authorizing
8 the Department of Juvenile Justice and the State Department of Education to
9 adopt certain regulations; requiring the Department of Juvenile Justice and the
10 State Department of Education to report to the General Assembly on or before a
11 certain date; providing for the termination of this Act; and generally relating to
12 the Group Home Education Pilot Program.

13 BY repealing and reenacting, without amendments,
14 Article 83C - Juvenile Justice
15 Section 2-120
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 2002 Supplement)

18 BY adding to
19 Article 83C - Juvenile Justice
20 Section 2-120.1
21 Annotated Code of Maryland
22 (1998 Replacement Volume and 2002 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

1

Article 83C - Juvenile Justice

2 2-120.

3 (a) The Department shall provide for care, diagnosis, training, education, and
4 rehabilitation of children by placing them in group homes and institutions that are
5 operated by any nonprofit or for-profit entity.

6 (b) (1) The Department shall reimburse these entities for the cost of these
7 services at appropriate monthly rates that the Department determines, as provided in
8 the State budget.

9 (2) The reimbursement rate may differ between homes and institutions
10 that provide intermediate services, as defined by the Department, and homes and
11 institutions that provide full services.

12 (c) The Department may not place a child in a group home or other residential
13 facility that is not operating in compliance with applicable State licensing laws.

14 2-120.1.

15 (A) THE DEPARTMENT, IN COOPERATION WITH THE STATE DEPARTMENT OF
16 EDUCATION, SHALL ESTABLISH A GROUP HOME EDUCATION PILOT PROGRAM IN AT
17 LEAST 20 GROUP HOMES IN THE STATE THAT ACCEPT CHILDREN COMMITTED TO THE
18 CUSTODY OF THE DEPARTMENT.

19 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ON-SITE EDUCATIONAL
20 INSTRUCTION, FOR 12 MONTHS OF THE YEAR, BY TEACHERS WHO HOLD A
21 CERTIFICATE UNDER TITLE 6, SUBTITLE 1 OF THE EDUCATION ARTICLE.

22 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE PROVISIONS OF
23 DIVISION I AND DIVISION II OF THE EDUCATION ARTICLE SHALL APPLY TO THE
24 PROGRAM ESTABLISHED UNDER THIS SECTION.

25 (D) (1) THE TEACHERS IN THE PROGRAM SHALL DEVELOP AN
26 INDIVIDUALIZED PLAN FOR EDUCATION FOR EACH CHILD IN THE PROGRAM WHO
27 DOES NOT RECEIVE AN INDIVIDUALIZED EDUCATION PROGRAM, AS DEFINED IN §
28 8-408 OF THE EDUCATION ARTICLE.

29 (2) FOR EACH CHILD IN THE PROGRAM, THE TEACHERS SHALL PROVIDE
30 A MONTHLY REPORT TO THE CHILD'S PARENTS, THE JUVENILE COURT, AND THE
31 DEPARTMENT ON THE CHILD'S PROGRESS IN THE PROGRAM.

32 (E) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION MAY
33 ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
35 Juvenile Justice and the State Department of Education shall report to the General
36 Assembly on or before September 30, 2005, in accordance with § 2-1246 of the State
37 Government Article, on the implementation of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2003. It shall remain effective for a period of 3 years and, at the end
3 of September 30, 2006, with no further action required by the General Assembly, this
4 Act shall be abrogated and of no further force and effect.